

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CASIUS ERNEST,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.

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KIMBA M. WOOD, United States District Judge:

On June 22, 2016, Petitioner filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2255. On September 9, 2016, at the request of the parties, the Court stayed this proceeding pending the final disposition of *United States v. Elvin Hill*, 890 F.3d 51 (2d Cir. 2018). On December 11, 2018, at the request of Petitioner and with the Government's consent, the Court continued the stay pending final disposition of *United States v. Barrett*, 903 F.3d 166 (2d Cir. 2018), *cert. granted, judgment vacated*, 139 S. Ct. 2774 (2019), and abrogated by *United States v. Davis*, 139 S. Ct. 2319 (2019). On February 7, 2019, the Court continued the stay pending the Supreme Court's decision in *United States v. Davis*, 139 S. Ct. 2319 (2019).

The Supreme Court issued an opinion in *Davis* on June 24, 2019. The parties are ordered to update the Court by November 30, 2020, indicating how they wish to proceed with respect to Mr. Ernest's Section 2255 petition.

SO ORDERED.

Dated: New York, New York
November 12, 2020

USDC SDNY
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16-CV-4848 (KMW)

12-CR-442 (KMW)

ORDER

Kimba m. wood
KIMBA M. WOOD
United States District Judge